

11/03/00
JC943 U.S. PTO

11-06-00

A

Patent Application
Docket No. 34650-00605USPTO

JC921 U.S. PTO
09/706071
11/03/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Leif Wilhelmsson, et al.

Entitled: METHOD AND APPARATUS FOR DYNAMIC PACKET SELECTION
IN UNCOORDINATED RADIO SYSTEMS

To the Assistant Commissioner
for Patents
Box Patent Application
Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL

"EXPRESS MAIL" Mailing Label No. EL654513486US
Date of Deposit: November 3, 2000
I hereby certify that this paper or fee is being
deposited with the U.S. Postal Service "Express
Mail Post Office to Addressee" service under
37 CFR 1.10 on the date indicated above and is
addressed to the Assistant Commissioner for
Patents, Washington, D.C. 20231

Type or Print Name Carol Mitchell
Carol Mitchell
Signature

Dear Sir:

REQUEST FOR FILING A NATIONAL PATENT APPLICATION

Transmitted herewith for filing, please find the following:

- X 1. Specification, claims and abstract of the above-referenced patent application having
 41 pages.
- X 2. Five (5) sheet(s) of drawing(s) (formal / x informal) comprising Figures 1-5.
- X 3. Combined Declaration and Power of Attorneys (signed x unsigned).
- 3A. No filing fee, Oath, or Declaration is enclosed pursuant to 37 C.F.R 1.53(d).
4. Information Disclosure Statement along with Form PTO-1449 and references.

___ 5. This is a: ___ Continuation-In-Part; ___ Divisional; ___ Continuation;
___ substitute Application (MPEP 201.09) of Application Serial No. ___ filed ___;
___ reissue of U.S. Patent No. ___ filed on ___.

An extension to extend the life of the above prior Application to at least the date
of filing hereof

(One box must be marked)

- (a) ___ is concurrently being filed in that prior Application,
(b) ___ was previously filed in that prior Application,
(c) ___ is not necessary for copendency.

___ 6. Attached is an assignment to Telefonaktiebolaget L M Ericsson (publ). Please return
the recorded assignment to the undersigned.

X 7. Priority is claimed under 35 U.S.C. § 119(e) based on filings in the U.S.

| | <u>Application No.</u> | <u>Filing Date</u> |
|-----|------------------------|--------------------|
| (1) | 60/212,774 | June 20, 2000 |
| (2) | ___ | ___ |
| (3) | ___ | ___ |

___ (No.) Certified copy (copies) ___ are attached; or ___ were previously filed on
___.

___ 8. Attached: ___ (No.) verified statement(s) establishing "small entity" status under 37
CFR § 1.9 and 1.27.

X 9. Attached:

X Return Postcard
___ (Other)

___ 10. Preliminary Amendment:

Prior to a first Office Action, kindly amend the Application as follows:

- X 11. The following Filing Fee calculation is based on the claims filed less any claims canceled by the Preliminary Amendment of Item 10.

| | | | | | | | | | |
|---|--|-------------------|-----|--------------|---------------|-------------------|--------|-------------|---------------|
| BASIC FEE | | SMALL ENTITY RATE | | OR | | LARGE ENTITY RATE | | = \$ 710.00 | |
| | | \$355 | | | | \$710 | | | |
| TOTAL CLAIMS | | NUMBER FILED | | NUMBER EXTRA | | | | | |
| | | <u> 40 </u> | -20 | = | <u> 20 </u> | x 9 | OR | x 18 | = + \$ 360.00 |
| | | | | | (at least 0) | | | | |
| INDEP. CLAIMS | | <u> 2 </u> | - 3 | = | <u> 0 </u> | x 40 | OR | x 80 | = + \$ |
| | | | | | (at least 0) | | | | |
| If any <u>proper</u> multiple dependent claim (ignore improper) is present (Enter \$0.00 if this is a <u>reissue</u> application.) | | | | | +\$135 | OR | +\$270 | = | +\$ |
| If assignment is x'd (item 6), add recording fee \$40.00 | | | | | | | | | \$ |
| Attached is a Rule 47 Petition (inventor refuses to sign or cannot be reached) \$130 | | | | | | | | | +\$ |
| TOTAL FILING FEE | | | | | | | | | = \$1070.00 |

- X 12. A check in the amount of \$1070.00 to cover the Filing Fee calculated in Item 11 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0447.
13. Please charge my Deposit Account No. 10-0447 in the amount of \$ to cover the Filing Fee calculated in Item 11. This sheet is attached in duplicate.
- X 14. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, and to have and cause any necessary petition for extension of time to be filed and any fees necessary to be paid for said extension of time OR credit any overpayment to our Deposit Account No. 10-0447, for which purpose a

duplicate copy of this sheet is attached. The Commissioner is not authorized to charge the issue fee until/unless an issue fee transmittal form is filed.

Respectfully submitted,

JENKENS & GILCHRIST, P.C.

By: 
Name: Richard J. Moura
Reg. No. 34,883

Jenkins & Gilchrist, P.C.
1445 Ross Avenue
Suite 3200
Dallas, Texas 75202
(214) 855-4709
(214) 855-4300 (fax)

00605USPT 12090200